

# TRANSMITTAL FORM

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Total Number of Pages in This Submission

9

Application Number

10/027,160

Filing Date

December 20, 2001

First Named Inventor

Estes et al.

Group Art Unit

1751

Examiner Name

G. Webb

Attorney Docket Number

US19984054-3

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☒ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Documents☐ Response to Missing Partys/  
Incomplete Application☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawings☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence  
Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s)☐ Amendment After Allowance☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal to Communication Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Other Enclosure(s) (please  
identify below):

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm  
Or  
Individual Name

Stephen D. Krefman, Reg. No. 28,631

Signature

Date

September 22, 2004

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class

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Barbara L. Katowich

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Barbara L. Katowich

Date

September 22, 2004

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9P-1751  
ERW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Estes et al.

Serial No.: 10/027,160

Group Art Unit: 1751

Examiner: G. Webb

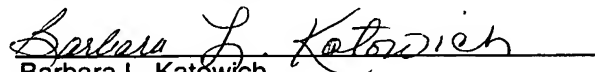
Attorney Docket No. 1000276-0003

**Certificate of Mailing (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Non-Fee Amendment  
Director of the United States Patent and  
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Attention: Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Date of Deposit: September 22, 2004

  
Barbara L. Katowich

**Response to Notice of Non-Compliant Amendment (37 CFR 1.121)**  
**Dated September 1, 2004**

Mail Stop Non-Fee Amendment  
Hon. Director of the United States Patent and Trademark Office  
Attention: Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The claims and remarks set forth herein are in response to a Notice of Non-Compliant Amendment (37 C.F.R. 1.121) ("Notice") dated September 1, 2004 that the applicants received from the U.S. Patent and Trademark Office ("Patent Office") for the above-identified patent application ("the application"). Because this response is being timely filed with the Patent Office (within one month from the mailing date set forth on the Notice), no extension of time is necessary.

The Notice states that the "amendment document" filed by the applicants with the Patent Office on 8/16/04 ("8/16/04 response") is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003. The Notice further states that,

in order for the “amendment document” to be compliant, correction of the following items is required in the “amendments to the claims”: (1) a complete listing of all of the claims is not present; and (2) each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.